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Attorneys for Defendant

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Proc. No.
08-01789 (SMB)

Plaintiff-Applicant,

SIPA LIQUIDATION

v.

(Substantively
Consolidated)

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

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In Re:

BERNARD L. MADOFF,

Debtor.

-----X

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff
Investment Securities LLC,

Adv. Proc. No.
10-04947 (SMB)

Plaintiff,

v.

MARJORIE MOST,

Defendant.

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**DECLARATION OF GOOD AND SUFFICIENT REASONS IN SUPPORT OF ORDER
TO SHOW CAUSE SEEKING ENTRY OF AN ORDER QUASHING THE SUBPOENAS
ISSUED BY PLAINTIFF AND GRANTING A PROTECTIVE ORDER**

PAULA J. WARMUTH, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a member of the law firm of Stim & Warmuth, P.C., attorneys for the defendant in the above-referenced action. I am duly admitted to practice law in the State of New York and before this Court.

2. I respectfully submit this declaration to show there are good and sufficient reasons in support of the order to show cause seeking entry of an order quashing the subpoenas issued by plaintiff and granting a protective order.

3. I am making this declaration pursuant to Local Rule 9077-1 to show why proceedings by other than notice of motion are necessary.

4. The subpoenas which Marjorie Most is seeking to quash and for a protective order were issued to HSBC Bank USA, N.A., Wells Fargo Bank, N.A. and Wells Fargo Advisors, LLC. The subpoenas are returnable on May 16, 2014. I was not given notice of the subpoenas until late on May 1, 2014 (exhibit L). There was not sufficient time to seek to quash the subpoenas if the defendant moved by notice of motion.

5. In addition, the defendant is seeking a stay of enforcement and compliance with the subpoenas pending the hearing and determination of the motion. Without the stay, the relief sought would be moot as disclosure would take place before the motion was decided. That is another reason why the defendant has moved by order to show cause.

6. No previous request for the relief sought herein has been made by the defendant to this or any other Court.

7. I declare under penalty of perjury that the foregoing is true and correct.

Dated: Farmingville, NY
May 6, 2014

STIM & WARMUTH, P.C.

By: /s/

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